

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: SKI TRAIN FIRE IN KAPRUN AUSTRIA ON NOVEMBER 11, 2000	X : : X	MDL # 1428 (SAS)
This document relates to the following cases:		
BLAIMAUER , et al,	X : : : : X	Civil Action # 03-CV-8960 (SAS)
- and -		
OMNIGLOW CORPORATION, et al	Plaintiffs, Defendants. X	
GEIER , et al,	X : : : : X	Civil Action # 03-CV-8961 (SAS)
- and -		
OMNIGLOW CORPORATION, et al	Plaintiffs, Defendants. X	
MITSUMOTO, et al,	X : : : : X	Civil Action # 06-CV-2811 (SAS)
- and -		
REPUBLIC OF AUSTRIA, et al	Plaintiffs, Defendants. X	
MITSUMOTO, et al,	X : : : : X	Civil Action # 07-CV-935 (SAS)
- and -		
ROBERT BOSCH CORP., et al	Plaintiffs, Defendants. X	
STADMAN, et al,	X : : : : X	Civil Action # 07-CV-3881 (SAS)
- and -		
AUSTRIAN NATIONAL TOURIST OFFICE, et al,	Plaintiffs, Defendants. X	

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**MOTION FOR MISCELLANEOUS RELIEF AS FOLLOWS (i) EXTENSION OF
TIME UNTIL JULY 19, 2007 WITHIN WHICH TO FILE MOTION FOR
RECONSIDERATION AND OTHER RELIEF UNDER LOCAL RULE 6.3 &
FRCP 60 (b), (ii) FOR RECUSAL UNDER 28 USC §§ 144 & 455, (iii) FOR
INTERVENTION UNDER FRCP 24 OR AND (iv) FOR HEARING TO
SUPPLEMENT AND CLARIFY THE RECORD AND FOR OTHER RELIEF**

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PLEASE TAKE NOTICE that the above referenced Plaintiffs will move this Honorable Court, on a date as set by the Court, as soon as counsel can be heard, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, NY 10007, Courtroom 15 B, before the Honorable Shira A. Scheindlin, USDJ, for, among other things,

- (i) Extension of time until Thursday July 19, 2007 within which to file (a) Motion for Reconsideration and for other relief under Local Rule 6.3 and FRCP 60 (b), (b) for recusal under 28 USC §§ 144 & 455, (c) for intervention pursuant to FRCP 24 (b); and
- (ii) Permission to supplement the record related to the Motion for Reconsideration, Recusal and potential appeal to consider all documents which were in the Court file or which relate to the alleged errors, bias, prejudice, improper ex-parte communications and other documents of which this Court and any other Court as may review this records should consider.

PLEASE TAKE FURTHER NOTICE that Plaintiffs make this Motion under the following specific provisions of the Federal Rules of Civil Procedure, Local Rules of the Southern /Eastern Districts of New York

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Plaintiffs are submitting the Affidavits / Declarations of Edward D. Fagan, Dr. Toichiro Kigawa and Dr. Bernd Geier.

PLEASE TAKE FURTHER NOTICE that Plaintiffs will also rely upon the authorities set forth in the accompanying Declaration of Edward Fagan filed in support of the Motion.

PLEASE TAKE FURTHER NOTICE that Defendants shall serve their opposition, if any, in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District. and/or at such other date as may be set by the Court.

Dated: July 4, 2007
New York, NY

/s/ Edward D. Fagan (electronically signed)
Edward D. Fagan, Esq.
5 Penn Plaza, 23rd Floor
New York, NY 10001
Tel. (646) 378-2225
Plaintiffs' Counsel

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused the foregoing

MOTION FOR MISCELLANEOUS RELIEF AS FOLLOWS (i) EXTENSION OF TIME UNTIL JULY 19, 2007 WITHIN WHICH TO FILE MOTION FOR RECONSIDERATION AND OTHER RELIEF UNDER LOCAL RULE 6.3 & FRCP 60 (b), (ii) FOR RECUSAL UNDER 28 USC §§ 144 & 455, (iii) FOR INTERVENTION UNDER FRCP 24 OR AND (iv) FOR HEARING TO SUPPLEMENT AND CLARIFY THE RECORD AND FOR OTHER RELIEF MOTION FOR MISCELLANEOUS RELIEF AS FOLLOWS (i) TO EXPAND

to be electronically filed in case 1:06-cv-2811 (SAS) with the Clerk of the Court and served upon counsel of record.

Additional copies have also been provided by fax or electronically or by regular mail to counsel of record in the related cases.

Dated: July 4, 2007
New York, NY

/s/ Edward D. Fagan (electronically signed)
Edward D. Fagan, Esq.